

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
JONESBORO DIVISION

RICHARD H. CARROLL

PLAINTIFF

VS.

NO 3:04CV00017 JMM

SCOTT PILLOW, CRIME INVESTIGATOR,  
PARAGOULD POLICE DEPARTMENT, ET AL.

DEFENDANTS

ORDER

Pending before the Court is plaintiff's Motion in Limine and defendants' response. Plaintiff contends that defendants should be precluded from presenting any evidence regarding any of his prior convictions or incarcerations. Plaintiff's Motion in Limine is granted in part and denied in part (#99).

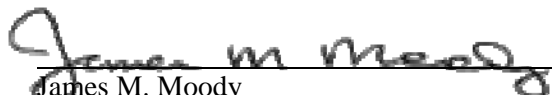
The motion is denied in regard to evidence concerning plaintiff's felony conviction for forgery in Case # 2002-335. Fed. R. Evid. 609(a)(2).

The motion is denied as to any evidence in the form of medical records created during Carroll's incarceration in the Greene County Detention Center in September of 2002. Defendant will be allowed to present evidence of Carroll's incarceration at the Greene County Detention Center for the limited purpose of showing that he complained of back problems three months before he was arrested by defendants on December 2, 2002. Fed. R. Evid. 403.

The motion is granted as to any evidence concerning the ultimate disposition of Carroll's case which forms the underlying basis for this 42 U.S.C. § 1983 claim. The Court finds the evidence to be unfairly prejudicial to plaintiff under Rule 403. *Id.*

Evidence regarding any other prior arrests or incarcerations will be admissible only for impeachment purposes. *Id.*

IT IS SO ORDERED this 20 day of October, 2006.

  
James M. Moody  
United States District Judge